

REMARKS

This Amendment is in response to the Office Action mailed June 23, 2006.

At the outset, the Applicants' representative wishes to thank Examiner Dawson for his courtesy during the telephone interview of October 23, 2006. As the Examiner will recall, agreement was reached that amending claims 1 and 40 to define the recited internal reservoir as "closed" overcomes the outstanding §102(b) rejections. The Examiner will also recall that the undersigned agreed to cancel claims 105-136 and indicated that canceled claims 105-136 would be the subject of a divisional application to be filed in the near future.

The Examiner's indication of allowability of claims 34-39, 74-104, and 137-165 is appreciated.

Claims 1-4, 12-13, 15-19, 21-22, 26-30, 40-42, 50-51, 53-57, 59-60, 64-66, 105-108, 116-117, 119-126 and 130-133 were rejected under 35 U.S.C. §102(b) as being anticipated by Krajicek (U.S. Patent No. 5,522,840). Reconsideration and withdrawal of these rejections are respectfully requested.

As the Examiner will note, claims 1 and 40 were amended to recite that the previously recited reservoir is "closed," as agreed during the recent telephone interview referred to above. In Krajicek, "the collagen plug 4 has a longitudinal cut 8 in the form of a narrow V throughout its whole length" (Col. 3, lines 21-22). Krajicek does not teach a closed internal reservoir as currently claimed. Reconsideration and withdrawal of the 35 USC §102(b) rejections applied to the above-listed claims are, therefore, respectfully requested.

As independent claims 1 and 40 have been amended so as to overcome the outstanding §102(b) reference, it is not believed necessary to address the §103(a) rejections of claims 31-32, 67-68, and 134-135.

Applicants believe that this application is now in condition for allowance. If any unresolved issues remain, please contact the undersigned attorney of record at the telephone number indicated below and whatever is necessary to resolve such issues will be done at once.

Respectfully submitted,



Date: October 24, 2006

By: _____

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